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RECIPIENT	COMPANY	FAX NO.	PHONE NO.
1. Brian E. Glessner	USPTO Art Unit 3635	703-872-9306	571-272-6843

• MESSAGE •

Request concerning Application Serial No. 09/239,878 (i.e., Confirmation No. 6652) follows.

NOTICE OF CONFIDENTIALITY

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I hereby certify that this correspondence is being sent by facsimile to 703-872-9306
and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450, on the date shown below.
Date: May 17, 2005 Signature: *Quinn Lindsey Webb*
Name (printed): *Quinn Lindsey Webb*

Docket No.: 41241-00006USD1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark L. Boyer et al.

Confirmation No. 6652

Application No.: 09/239,878

Art Unit: 3635

Filed: January 29, 1999

Examiner: Brian E. Glessner

For: PRE-CAST SECURITY VAULT

Publication No.: US20020011035

REQUEST THAT FINAL OFFICE ACTION BE MAILED WITH NEW MAILING DATE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Ms. Toi Johnson left a voice-mail message with my colleague Dr. Mark Gatschet (phone no. 713-951-3309) on Friday, May 6, 2005. She noted in her message that a Final Office Action for application Serial No. 09/239,878 had been returned undelivered to the USPTO after having been mailed to:

Margaret A. Boulware
Jenkins & Gilchrist
1100 Louisiana, Suite 1800
Houston, TX 77002

In response, my colleague Dr. Gatschet phoned Ms. Johnson's phone number (571-272-6601) several times between Friday, May 6, and Thursday, May 12, 2005. After having left several voice-mail messages for Ms. Johnson, Dr. Gatschet was at last able to connect with Ms. Johnson by telephone on Friday, May 13, 2005. He then discussed with her the address to which the Final Office Action should have been mailed (see also, attached correspondence sent by facsimile after this discussion by phone).

HOUSTON 345942v1 41241-00006USD1

Application No.: 09/239878

Docket No.: 41241-00006USD1

The address to which the Final Office Action was mailed is outdated (and, in addition, Margaret A. Boulware, the addressee, left Jenkins & Gilchrist in February 2005). During the 2004 summer, the Houston Office of Jenkins & Gilchrist moved to:

Jenkins & Gilchrist
5 Houston Center
1401 McKinney, Suite 2600
Houston, TX 77010

The USPTO acknowledged in June 2004 that the address for Customer No. 24238 (i.e., the Customer No. for the Houston Office of Jenkins & Gilchrist) had moved to 1401 McKinney (see attached "Notice of Customer Number Record Change"), and I used the 1401 McKinney address as the return address on the Transmittal Form and Amendment and Response documents that I filed for this application on Nov. 19, 2004.

On downloading the Final Office Action from the USPTO PAIR Portal yesterday (i.e., May 16, 2005), Dr. Gatschet realized that the Final Office Action was originally mailed Jan. 19, 2005. Through no fault of the Applicants, the two-month period, as well as the three-month shortened statutory period, for responding to the Final Office Action have expired.

REQUEST

In view of the foregoing, Applicants respectfully request that the Final Office Action be mailed again with a new mailing date in order to reset the two-month period, as well as the three-month shortened statutory period, for responding to the Final Office Action.

Applicants' undersigned representative welcomes a phone call at 713-951-3354 if any questions should arise concerning this request.

Respectfully submitted,

Dated: 5/17/05

By Daniel G. Nguyen
Daniel G. Nguyen, Reg. No.: 42,933
JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION
5 Houston Center
1401 McKinney, Suite 2600
Houston, Texas 77010
(713) 951-3354
(713) 951-3314 Facsimile
Attorneys For Applicants

2

HOUSTON 345942v1 41241-00006USD1

Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

1401 MCKINNEY
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HOUSTON, TEXAS 77010-4034FROM THE DESK OF:
Daniel G. Nguyen(713) 951-3300
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COPY

RECIPIENT	COMPANY	FAX No.	PHONE No.
1. Ms. Toi Johnson	USPTO	703-872-9306	571-272-6601

• MESSAGE •

Dear Ms. Johnson,

Margaret Boulware is no longer an attorney with Jenkins & Gilchrist. Please address correspondence for application serial no. 09/239,878 to my colleague Mark Gatschet at:

Mark J. Gatschet, Ph.D.
Jenkins & Gilchrist, P.C.
1401 McKinney, Suite 2600
Houston, TX 77010

If possible, please also note the name and contact information for the person whom we should contact in order to request that the deadline be tolled for responding to the misdirected Office Action. Please call my colleague Dr. Mark Gatschet at 713-951-3309 if any questions should arise concerning this application.

Thank you,



Daniel G. Nguyen, Reg. No. 42,933

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TO:

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MAY-13-2005 14:59		7139513314 P.01/01	
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FROM THE DESK OF: Daniel G. Nguyen		Austin, Texas Dallas, Texas Fort Worth, Texas Houston, Texas San Antonio, Texas San Diego, California San Jose, California Seattle, Washington Washington, D.C.	
RECIPIENT	COMPANY	FAK NO.	PHONE NO.
1. Mr. Tol Johnson	USPTO	703-872-9306	571-272-6601
- MESSAGE -			
Dear Mr. Johnson, Margaret Rutledge is no longer an attorney with Jenkins & Gilchrist. Please address correspondence for application serial no. 09/239,378 to my colleague Mark Gasschet at: Mark J. Gasschet, Ph.D. Jenkins & Gilchrist, P.C. 1401 McKinney, Suite 2600 Houston, TX 77010 If possible, please also note the name and contact information for the person whom we should contact in order to request that the deadline be tolled for responding to the undersigned Office Action. Please call my colleague Dr. Mark Gasschet at 713-951-3300 if any questions should arise concerning this application. Thank you, Daniel G. Nguyen, Reg. No. 02,913			
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PAGE 11 * RCVD AT 5/13/2005 4:02:36 PM [Eastern Daylight Time] * SVR:USPTO-EFAX * DNR:07/03/05 * CSID:7139513314 * DURATION (mm-ss):02:10



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CORRESPONDENCE
ADDRESS:

JUN 28 2004

JENKENS & GILCHRIST
1401 MCKINNEY
SUITE 2700 — 2600
HOUSTON, TX 77010

FAX: 713-951-3314
E-MAIL:

PHONE: 713-951-3300

Date Mailed: 06/23/2004

NOTICE OF CUSTOMER NUMBER RECORD CHANGE

The request to change the information associated with the above-identified Customer Number has been accepted by the Commissioner of Patents and Trademarks.

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41867, 42569, 42933, 46544, 46991, 50996, 51101, 51229
, 52616.

A copy of this notice MUST be returned with the reply.

Patents Electronic Business Center
(703) 305-3028

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